

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America
v.Armando CAMARENA
Year of Birth: 1983
SSN: xxx-xx-2435

Defendant(s)

Case No.

MATTHEW J. DYKMAN
CLERK

MJ 14-2585

JUL 31 2014

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 19, 2014 to July 30, 2014 in the county of Sandoval in the
Judicial District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. Section 2252(a)(2)

"knowingly receives, or distributes...any visual depiction of a minor engaged in sexually explicit conduct..."

18 U.S.C. Section 2252(a)(4)(B)

"knowingly possesses, or knowingly accesses with intent to view...[any] matter which contain any visual depiction [of minors engaged in sexually explicit conduct..."

This criminal complaint is based on these facts:

During a period on or about between 01/19/2014 to 07/30/2014, in the district of New Mexico, Armando Camarena possessed visual depictions of minors engaged in sexually explicit conduct in violation of Title 18, United States Code, Sections 2252(a)(4)(b).

☐ Continued on the attached sheet.
Complainant's signatureMelva Boling, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date:

July 31, 2014
Judge's signatureCity and state: Albuquerque, New MexicoThe Honorable Karen B. Molzen Chief United States
Printed name and title

ATTACHMENT A

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Melva Boling, being duly sworn, hereby declare and state as follows:

Your Affiant is a Special Agent with the Department of Homeland Security, Homeland Security Investigations, hereafter referred to as HSI, and has been employed by HSI as such since June 2010. Your Affiant is currently assigned to the Assistant Special Agent in Charge, Albuquerque, New Mexico where your Affiant is assigned to investigate individuals involved in the exploitation of minors including violations of Title 18, United States Code, Section 2252(a)(4)(B). Your Affiant has worked on child pornography and child exploitation investigations and has been trained in the investigation of computer related child exploitation and child pornography cases by the Department of Homeland Security and the Internet Crimes Against Children Task Force. During the investigation of these cases, your Affiant has executed, or participated in the execution of, numerous search warrants and seized evidence of these violations.

Your Affiant successfully completed eleven weeks of Criminal Investigator Training at the Federal Law Enforcement Training Center (FLETC). In addition, your Affiant completed eleven weeks of Special Agent Training with Immigration and Customs Enforcement, also at FLETC. Your Affiant holds a Bachelor's Degree in Oral Communication-Theater from the University of Central Oklahoma.

The following information relating to the investigation of Armando Camarena (YOB: 1983, SSN: xxx-xx-2435) is personally known to me based on my own investigation, training and experience, including my review of investigative reports, or has been related to me by other individuals, including law enforcement officers involved in the investigation whom your Affiant believes to be reliable. Based on the following information, there is probable cause to believe that Camarena received and possessed visual depictions of minors engaged in sexually explicit conduct (hereafter "child pornography") in violation of Title 18, United States Code, Section 2252(a)(4)(B).

Applicable Statutes

According to 18 U.S.C. Section 2252(a)(2), it is a federal crime for a person who "knowingly receives, or distributes...any visual depiction [of a minor engaged in sexually explicit conduct] using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce, or which contains materials which have been mailed or so shipped or transported, by any means including by computer...."

According to 18 U.S.C. Section 2252(a)(4)(B), it is a federal crime for a person who "knowingly possesses, or knowingly accesses with intent to view...[any] matter which contain any visual depiction [of minors engaged in sexually explicit conduct] that has been mailed, or has been shipped or transported using any means or facility of

interstate or foreign commerce or in or affecting interstate or foreign commerce, or which was produced using materials which have been mailed or so shipped or transported by any means including by computer....”

Summary of Investigation

Your Affiant was contacted by HSI Special Agent Daniel Henry in Idaho Falls, Idaho regarding an internet predator believed to be located within the area of responsibility for the Office of the Assistant Special Agent in Charge, Albuquerque, New Mexico. On February 3, 2014, the Bonneville County Sheriff's Office (BCSO), Deputy Daniel Sperry became aware that a minor in a local high school had received child pornography, child erotica, and threatening messages on the child's iPod. The confidential victim was a 14-year-old student who will be referred to as CV. CV informed Deputy Sperry that initial contact with the individual took place on the application called High School Hero, but they switched to using a different application called Kik when the threatening messages and pornographic images were sent. The individual's user name was "Zaurious." Deputy Sperry requested that the help of Computer Forensics Agent Brad Roedel for HSI to recover evidence from CV's phone. Deputy Sperry was provided with a thumb drive that contained the evidence extracted from the phone, including the threatening texts, child pornography, and child erotica.

Deputy Sperry sent a request to Kik for subscriber information on the user name of "Zaurious." That request returned the following information:

- The account was registered on August 28, 2012;
- The application was installed on an iPhone;
- The first and last names for the subscriber were: air elemental;
- The email provided was: android17@gundamsee.net.

CV denied knowing who the person was who was sending the graphic images or threatening messages. The device was turned over by Deputy Sperry to HSI in Idaho Falls, Idaho after Deputy Sperry discovered that the person responsible for sending the pornographic images and threats did not appear to be within his jurisdiction.

Kik also provided the Internet Protocol (IP) address for "Zaurious." Kik records indicated that on January 12, 2014 at 15:09:44 Eastern Standard Time (EST), Zaurious contacted CV. On January 19, 2014, child pornographic images were sent to CV at 02:44:27 EST. At that same time CV was contacted, "Zaurious" accessed Kik from IP address 71.222.220.45. After the investigation was initiated, HSI Special Agent Henry queried the American Registry of Internet Numbers and found that the IP address 71.222.220.45 was operated by Qwest. Qwest was acquired by Century Link. On May 27, 2014, Special Agent Henry sent an administrative summons to Century Link for subscriber information for the IP address 71.222.220.45 that was used by "Zaurious" on January 12 at 15:09:44 EST and January 19, 2013 at 02:44:27 EST. On May 28, 2014, Special Agent Henry received a response from Century Link. The IP of 71.222.220.45 was assigned to two adults of 2209 San Pablo Road NE, Rio Rancho, New Mexico 87144.

Special Agent Henry requested that the Idaho Fusion Center investigate the names and addresses received from Century Link. Fusion centers throughout the United States, including the center in Idaho, analyzes and shares terrorism and criminal information among federal, state, and local law enforcement agencies. The Idaho Fusion Center found that a third adult, Armando Camarena, has been residing at 2209 San Pablo Road NE, Rio Rancho, NM 87144.

Special Agent Henry contacted the HSI office in Albuquerque, New Mexico regarding the location of "Zaurious" at the address within the Albuquerque area of responsibility. Special Agent Melva Boling was assigned the case and reviewed the materials sent by Special Agent Henry. Special Agent Boling reviewed the texts and images sent by Zaurious to the CV.

The following is a description of a sampling of three images viewed by Special Agent Boling that had been sent by Zaurious to the CV. The time is listed at UTC (Coordinated Universal Time) and is equivalent to Greenwich Mean Time:

1.) On January 19, 2014 at 7:23 PM UTC, CV received a message from Zaurious, "Hello where I just got done getting a blow job from by daughters best friend." An image was attached with the hash value of: A9895753EDB8E060843047E3DEA04ACB. The image was of a young girl, approximately seven to ten-years-old, naked and with brown hair. The image showed the young girl with an adult penis in her mouth.

2.) On January 19, 2014 at 7:36:25 PM UTC, CV received a message from Zaurious of a pubescent girl under the age of 18, naked and laying down. The child had long brown hair with make-up on her face and a gold-colored necklace around her neck. A white liquid that appeared to be semen was on her abdomen and genital area.

3.) On January 19, 2014 at 7:32:41 PM UTC, Zaurious sent an image to CV of a pubescent girl under the age of 18, naked and holding a video camera as she filmed her reflection in a mirror. The girl had brown, medium length hair and was wearing a necklace with a large charm. The young girl was rubbing her nipple in the image.

Your Affiant knows that HSI, the New Mexico State Police and New Mexico Internet Crimes Against Children Task Force Affiliates have executed numerous search warrants using the techniques described in this investigation. In prior cases the suspect confessed and/or the computers were seized and found to contain evidence confirming the undercover operation related to child pornography.

On July 30, 2014 at 6:00 am, Armando Camarena was present at 2209 San Pablo Road NE, Rio Rancho, New Mexico when the search warrant was served. Camarena was interviewed by Special Agent Boling and Albuquerque Police Officer Jake Storey in a consensual interview. Camarena admitted that he used the names "Zaurious" and "Zaphkiel" as two of his user names on Kik, a messenger application used on cellular phones. Camarena stated that he had sent child pornographic images to the minor victim, as well as an image of a dead body with the throat cut open in a morgue. Camarena stated that he is sexually attracted to minors and has masturbated to child pornography that he has viewed.

The following is the description of a sampling of images found as a result of the search warrant.

Files identified on Apple iPhone 5C - ICCID 89014103276367339949 - Phone Number 14088132543 (Assembled in China)

1.) File Name: IMG_0635.PNG File Path:

/BackupService/var/mobile/Media/PhotoData/Thumbnails/V2/DCIM/100APPLE/IMG_0635.PNG/5003.JPG

Created Date: 7/16/2014 4:07:44 PM(UTC+0)

Description: The still image depicts a female, approximately 4 to 6 years of age, laying on what appears to be table or bed covered in white cloth. The female is wearing white panty hose that cover her legs, up to her upper thigh. The female is laying on her back with her legs spread and bent at the knees. An adult male, who is mostly outside of the image, is inserting his penis into the female's vagina. The female's mouth is open and appears to be screaming in pain. Another unidentified individual is visible in the upper right hand section of the image and appears to be wearing black panty hose.

2.) File Name: IMG_0769.mp4

File Path: /BackupService/var/mobile/Media/DCIM/100APPLE/IMG_0769.mp4

Created Date : 7/17/2014 3:21:10 PM(UTC+0)

Description: This digital video depicts a female, approximately 5 to 7 years old, standing on a bed, holding a white piece of paper with the words "Mat preteen 4 you" written on it. The female then removes her pajama bottoms and shirt to reveal her naked body. The female then lies down on the bed and picks up a pink phallic device from the bed. The camera then zooms in on the female lying on her back with her legs spread exposing her vagina as the focal point. The female then inserts the phallic device into her mouth and vagina. The female then rolls over onto her hands and knees and inserts her finger into her anus. An adult male penis then becomes visible near the bottom of the screen. The female then puts her mouth on the male's penis. The girl then lies on her back while the male rubs his penis on and attempts to enter her vagina. The male then begins to masturbate and ejaculates on the female's buttocks.

3.) File Name: IMG_0992.mp4

File Path: /BackupService/var/mobile/Media/DCIM/100APPLE/IMG_0992.mp4

Created Date : 7/22/2014 5:22:36 PM(UTC+0)

Description: This digital video depicts a female, approximately 5 to 7 years old, lying on a bed with her hands bound with yellow rope and her eyes covered by a striped multicolored blindfold. The female is lying on her bed with her legs spread open, exposing her vagina and is completely nude, other than the rope and blindfold. A dog, golden in color, with a red collar, is standing over the female and licking her vagina and stomach area. A hand becomes visible at the bottom of the screen, pointing to the female's vagina as the video zooms to the female's vagina, exposing it as the focal point. The video then pans to the female's face, showing an adult male penis inserted into the female's mouth. The video ends by showing the dog licking the female's vaginal area.

Interstate Nexus

Individuals who utilize chat and texting applications, such as Kik, must connect to the Internet to send messages to other individuals. In order to access the Internet, an individual computer user must subscribe to an access provider, which operates a host computer system with direct access to the Internet. Your Affiant believes that the element of "in or affecting interstate or foreign commerce" is satisfied for a violation of 18 U.S.C. Section 2252(a)(2) and 18 U.S.C. 2252 (a)(4)(B) and for the limited purpose of securing a search warrant.

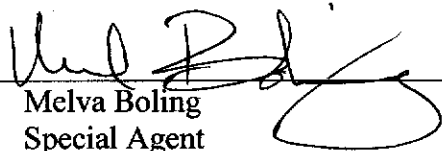
For purposes of possession only, Title 18, United States Code, Section 2252, the Government can show the images were produced by an item manufactured outside New Mexico. HSI computer forensics examiner SA Kyle Craig stated he is unaware of any computer hardware/digital media capable of holding data being manufactured in the state of New Mexico, other than the Intel processors produced at the Intel facility in Rio Rancho, NM. Intel processors contain on-chip cache memory that is volatile and not conducive for transporting stored data, not to be confused with hard drives, flash drives, or other non-volatile digital media that maintains the data after power is removed.

Conclusion

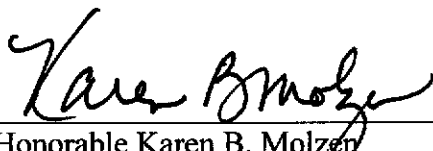
Based upon the foregoing information contained in this affidavit, your Affiant has probable cause to believe that during a period ranging from approximately January 19, 2014 to February 12, 2014, Armando Camarena did send visual depictions of minors, to include prepubescent children, engaged in sexually explicit conduct to a victim under the age of eighteen in Idaho. These images are in violation of Title 18, United States Code, Section 2252(a)(2), knowingly receives, or distributes...any visual depiction [of a minor engaged in sexually explicit conduct] using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce, or which contains materials which have been mailed or so shipped or transported, by any means including by computer...." Also, the images are in violation of Title 18, United States Code, Section 2252(a)(4)(B), "knowingly possesses, or knowingly accesses with intent to view...[any] matter which contain any visual depiction [of minors engaged in sexually explicit conduct] that has been mailed, or has been shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, or which was produced using materials which have been mailed or so shipped or transported by any means including by computer...." Camarena was in possession of such images at the time of his arrest on July 30, 2014. Therefore, your Affiant respectfully request this court issue a criminal complaint and arrest warrant in this matter.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

FURTHER AFFIANT SAYETH NOT.


Melva Boling
Special Agent
Department of Homeland Security
Homeland Security Investigations

Subscribed and sworn before me this 31th day of July 2014 at 8:32 AM hours.


The Honorable Karen B. Molzen
Chief United States Magistrate Judge